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6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**

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9 STEPHEN CHOATE,

10 Petitioner,

11 vs.

12 WARDEN WILLIAMS, et al.,

13 Respondents.

Case No. 2:16-cv-01093-RFB-CWH

ORDER

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15 Petitioner's motion to amend or explain habeas corpus petition (ECF No. 4) is defective. To
16 the extent that he is trying to file an amended habeas corpus petition, what he has submitted is not
17 on the court's form. Furthermore, he has attached a 113-page prolix document. The court need not
18 hunt through those allegations to glean what claims petitioner actually raises. McHenry v. Renne,
19 84 F.3d 1172, 1177-79 (9th Cir. 1996). ***If petitioner wishes to file an amended petition, then he
20 will need to submit a concise proposed amended petition in the lead case, 2:16-cv-00813-RFB-
21 GWF.***

22 Petitioner's motion for a decision (ECF No. 13) and three petitions for writs of mandamus
23 (ECF No. 17, 18, 20) are premature. The court has not yet screened the petition, let alone served it
24 upon respondents.

25 Petitioner does not explain what he wants the court to do in his motion to expand appeal
26 (ECF No. 14). To the extent that petitioner wants to amend his petition, he needs to follow the
27 court's instructions above. To the extent that petitioner believes that he is appealing a decision of a
28 state district court to this court, he is mistaken. This court lacks jurisdiction to consider an appeal

1 from a judgment of a state court. District of Columbia Court of Appeals v. Feldman, 460 U.S. 462,
2 476, 483 n.16 (1983); Rooker v. Fidelity Trust Co., 263 U.S. 413, 415-16 (1923). Petitioner's sole
3 federal remedy from a judgment of conviction of a state court is through a petition for a writ of
4 habeas corpus pursuant to 28 U.S.C. § 2254. Preiser v. Rodriguez, 411 U.S. 475, 500 (1973).

5 Petitioner's motions to rescind order and remand to state district court (ECF No. 15, 16) are
6 defective. Again, this court does not have appellate jurisdiction over the state district court. This
7 court can grant petitioner relief from his custody only if his custody is in violation of the
8 constitution or laws of the United States. 28 U.S.C. § 2254(a). Erroneous orders in the state post-
9 conviction proceedings are not addressable in federal habeas corpus. Franzen v. Brinkman, 877
10 F.2d 26, 26 (9th Cir. 1989).

11 Petitioner's motion for production of documents (ECF No. 19) and motion to compel (ECF
12 No. 23) are premature. If the court determines that the respondents should respond to the petition,
13 then petitioner may make a motion to conduct discovery.

14 IT IS THEREFORE ORDERED that petitioner's motion to amend or explain habeas corpus
15 petition (ECF No. 4) is **DENIED**.

16 IT IS FURTHER ORDERED that petitioner's motion for a decision (ECF No. 13) is
17 **DENIED**.

18 IT IS FURTHER ORDERED that petitioner's three petitions for writs of mandamus (ECF
19 No. 17, 18, 20) are **DENIED**.

20 IT IS FURTHER ORDERED that petitioner's motion to expand appeal (ECF No. 14) is
21 **DENIED**.

22 IT IS FURTHER ORDERED that petitioner's motions to rescind order and remand to state
23 district court (ECF No. 15, 16) are **DENIED**.

24 IT IS FURTHER ORDERED that petitioner's motion for production of documents (ECF
25 No. 19) is **DENIED**.

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1 IT IS FURTHER ORDERED that petitioner's motion to compel (ECF No. 23) is **DENIED**.
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3 DATED: March 20, 2017

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7 RICHARD F. BOULWARE, II
8 United States District Judge
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